IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 17556 of 2007(M)

OS.77/2005 of MUNSIFF COURT, PUNALUR

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PETITIONER:

P.T.KUNJUMON, ROYAL COTTAGE,
THAZHAMEL MURI, ANCHAL VILLAGE,
PATHANAPURAM TALUK.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:

JOHNSON,
KOCHUPUTHEN BUNGLOW,
ALAYAMON MURI, ALAYAMON VILLAGE,
PATHANAPURAM TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

WP(C)No. 17556 OF 2007 M

Dated this the 8th June, 2007.

JUDGMENT

This writ petition is filed to set aside Ext.P4 order passed by the learned Munsiff, Punalur. The writ petitioner filed an application for summoning of a document by virtue of which defendant claimed title to his property. The prayer was only to produce a copy of the document. The trial court dismissed the application that it is not necessary at that stage to produce the document. The plaintiff and defendant are claiming right over their respective properties by virtue of registered documents. What the plaintiff wants at this stage is to get a registration copy of the title, the title on which the defendant claims reliance. It is true that the plaintiff can produce a registration copy for the purpose of the case. But if the defendant is having a copy, it is only just and reasonable to direct him to produce it so that unnecessary delay can be avoided. Therefore, the order under challenge is set aside and the defendant in the case is directed to produce a copy of the document as prayed for by the plaintiff. Writ petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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